



**Cancer  
Council**  
Queensland

Sub# 9

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**HEALTH AND DISABILITIES  
COMMITTEE**



FOR A CANCER FREE FUTURE

1961 - 2011

September 27, 2011

Ms Sue Cawcutt  
Research Director  
Queensland Parliament House  
George Street  
Brisbane Qld 4000

**Health and Disabilities Committee Inquiry into  
the Health Legislation Amendment Bill 2011**

Dear Ms Cawcutt,

Please find enclosed Cancer Council Queensland's submission to the Queensland Parliament's Health and Disabilities Committee Inquiry into the Health Legislation Amendment Bill 2011.

If you have any questions in relation to CCQ's submission, please don't hesitate to contact me on 3634 5241 or 0417 709 869.

Yours sincerely,

Anne Savage  
Chief Communications Officer  
Cancer Council Queensland



**Cancer Council Queensland Submission to the  
Queensland Parliament's Health and Disabilities Committee Inquiry into  
The Health Legislation Amendment Bill 2011**

September 2011





FOR A CANCER-FREE FUTURE

## **Cancer Council Queensland**

Cancer Council Queensland (CCQ) is Queensland's leading non-government community organisation in cancer control. We are committed to providing all Queenslanders with the best possible prospects of preventing, detecting, effectively treating, and surviving a cancer diagnosis.

Over many decades CCQ has led anti-tobacco advocacy in Queensland, urging the creation of tobacco control laws and social marketing programs that have significantly reduced the prevalence of smoking in Queensland and reduced illness and deaths from tobacco-related disease. The outcomes of our endeavours include the creation of smoke-free pubs and clubs, bans on smoking in cars carrying children, and most recently a ban on retail display of cigarettes.

CCQ was established in 1961 as the Queensland Cancer Fund, in response to an increasing need for cancer-related services across the state. This year, we are celebrating 50 years of supporting Queenslanders affected by cancer. CCQ employs over 250 staff Statewide, and relies on support from more than 2,500 registered volunteers. We have offices in Brisbane, Cairns, Townsville, Mackay, Rockhampton, Bundaberg, Maroochydore, Toowoomba, and the Gold Coast. CCQ is a member of Cancer Council Australia and is affiliated with the International Union Against Cancer (UICC). Our vision is for a cancer free Queensland.

### **The facts on smoking in Queensland**

- 16.7% of Queenslanders aged 14 years and over smoke daily (males 18.4% and females 15%).
- In 2006-07, there were 3,422 deaths in Queensland due to tobacco smoking. 67 % of these deaths occurred in males.
- In 2006, almost one in five of all male deaths in Queensland and one in 10 female deaths were caused by smoking.
- In 2006-2007, nearly half (46%) the smoking related deaths occurred in people aged less than 75 years, that is, they were premature deaths.
- Smoking was a leading contributor (8.1%) to the overall burden of disease in Queensland in 2003, contributing to 10% of the total burden for males and 5.9% for females.
- Smoking resulted in an average 35,781 hospitalisations per year in Queensland in 2006/07 to 2007/08.
- In 2004/05 tobacco was conservatively estimated to cost the Australian economy \$31.5 billion, representing more than half of all drug costs nationally. On a prorata basis, this amounts to 6.3 billion in Queensland.
- Lung cancer is the most common cause of cancer related death in both men and women in Queensland, with 1034 men and 555 women dying from the disease in 2007.
- In 2007, there were 1,901 lung cancers diagnosed among Queensland residents. Of the 1,901 diagnosed, 1216 were for males and 685 were for females.



## **Cancer Council Queensland Recommendations**

### **Clause 69**

#### **Amendment of s 26S (No smoking sign)**

##### **CCQ supports the proposed amendment**

- No-smoking signs are an important part of a multi-faceted approach to discouraging tobacco consumption and denormalising smoking.

### **Clause 70**

#### **Amendment of s 26ZA (Designating an outdoor smoking area)**

##### **CCQ prefers a total ban on smoking in licensed premises**

- A 2007 Queensland Government review of smoke-free laws in Queensland found majority public support for further strengthening regulation of smoking in outdoor areas and banning designated outdoor smoking areas altogether.
- A 2008 Queensland Health research study found that 68% of patrons who regularly attend licensed venues are non-smokers.
- A total ban on smoking in licensed premises would bring licensed premises into line with all other businesses in Queensland, including restaurants, cafes and sporting facilities.
- Queensland Health research suggests that the continuation of designated outdoor smoking areas is reinforcing cigarette smoking among existing smokers by providing them with a legally sanctioned zone in which to continue the habit.
- Queensland Health research also shows that second-hand smoke from designated outdoor smoking areas drifts into non-smoking areas of licensed venues, exposing other patrons to the harmful effects of tobacco.

**If a total ban on smoking is rejected by the Committee, CCQ supports the proposed amendments to clarify the buffer requirements for DOSAs.**

**In addition, CCQ recommends that the Act be amended further to:**

- 1. Prohibit young people from entering DOSAs.**
- 2. Prohibit all food and alcohol consumption in DOSAs.**

**Prohibit all entertainment, including audio-visual equipment such as television screens and stage performance, within five metres of DOSAs.**

### **Clause 71**

#### **Amendment of s 26ZS (Supply of food or toys resembling tobacco products)**

**CCQ supports the proposed amendment to broaden the prohibition on supply of tobacco products to include all objects resembling tobacco products.**

- Supply of objects resembling tobacco products promotes smoking, particularly among young people, and contributes to the continuation and uptake of smoking, particularly by young people.

Clause 72

Insertion of new s 26ZT (Sale of confectionary-flavoured or fruit-flavoured cigarettes)

**CCQ supports the proposed insertion but recommends it be broadened to include a prohibition on menthol-flavoured cigarettes.**

- Confectionary-flavoured and fruit-flavoured cigarettes promote smoking among young people and therefore should be banned.
- Flavouring tobacco products with menthol increases penetration of nicotine, enhancing addictive properties and increasing oral exposure to carcinogens.<sup>1</sup>

Clause 73

Insertion of new s 42E (Forfeiture of smoking product seized under s 40)

**CCQ supports the proposed insertion to further strengthen existing regulations relating to the authorised seizure of smoking products and the forfeiture of those products to the State.**

Further recommendations in relation to the Tobacco and Other Smoking Products Act

**CCQ requests that the Committee note the following recommendations in its report to the Legislative Assembly:**

CCQ recommends the Tobacco and Other Smoking Products Act should be amended to:

- Introduce uniform Statewide laws to ban smoking in public places.
  - Prohibit vending machines dispensing tobacco products.
- Prohibit tobacco companies from providing sales incentives to retailers.
  - Ban smoking in premium gaming rooms.
  - Require the licensing of all tobacco retailers.
- Prohibit the sale of tobacco products by people under the age of 18.
  - Impose a total ban on smoking in cars.

<sup>1</sup> Squier, Christopher et al (2010). Effect of menthol on the penetration of tobacco carcinogens and nicotine across porcine oral mucosa ex vivo. *Nicotine and Tobacco Research*, Vol 12, Issue 1, pp 763-767. Dow Institute.